

### **REMARKS**

Applicants thank the Examiner for the thorough consideration given the present application. Claims 1-11 are currently being prosecuted. The Examiner is respectfully requested to reconsider his rejections in view of the amendments and remarks as set forth below.

#### **Double-Patenting Rejection**

Claims 1-11 stand rejected under 35 U.S.C. §101 as claiming the same invention as that of claims 1-11 of U.S. Patent No. 6,696,994. This rejection is respectfully traversed.

By way of the present Amendment, Applicants have amended the claims so that these are no longer the same as those of the claims of the parent patent. Claims 1,6 and 11 have been amended to add that the longest consecutive zeros calculate the penalty. This is not present in the claims of the parent patent. The Applicants submit that the double patenting rejection is overcome.

#### **Prior Art**

The Examiner discussed three references as being pertinent to Applicants' disclosure. Applicants agree with the Examiner that the claims are neither anticipated nor obvious over these references. Further, since the claims have now been amended to further specify that the longest consecutive zeros calculate the penalty, Applicants submit that these claims are even further allowable.

### **Conclusion**

In view of the above, Applicants submit that the claims are no longer the same as in the parent patent. In view of this, reconsideration of the rejection and allowance of all the claims are respectfully requested.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Robert F. Gnuse (Reg. No. 27,295) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

Pursuant to the provisions of 37 CFR 1.17 and 1.136(a), Applicants respectfully petition for a three (3) month extension of time for filing a response in connection with the present application. The required fee of \$1,020.00 is attached hereto.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

By 

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